The 15 September 2014 Register page for this publication appeared with an incorrect descriptive note. The correct descriptive note appears below:

Title of publication: State's Evidence

Other known title(s): Not stated

OFLC ref: 1400505.000

Medium: DVD

Distributor: VM Distribution

Director: Benjamin Louis
Mark Brown

FVLB Applicant: VM Distribution

Producer: Mark Brown

Country of origin: United States

Language: English

Applicant: Barbara Stirrup

Classification:	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.

Excisions: No excisions recommended

Descriptive note: Contains violence, sexual violence and sex scenes.

Display conditions: None

Date of entry in Register: 15 September 2014

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: No notice of decision has been issued

	Components	**Running time**
Feature(s):	State's Evidence	105:52
Total running time:		105:52

Summary of reasons for decision:

A member of the public submitted this DVD for reconsideration of its classification because they considered that it should be classified as objectionable because of some of the stronger content, in particular a scene in which a young girl is raped and murdered.

The DVD contains a drama about a group of high school students who enter into a suicide pact. It was originally classified R18 in December 2007. It deals with matters of violence and cruelty, including sexual violence, as well as with suicide, often in a harrowing manner. The scene depicting the rape and murder of a nine-year-old girl has been considered under s3(2) of the Act, but it is found to not promote or support, or tend to promote or support, the exploitation of children for sexual purposes, or sexual violence. This scene, along with other content in the feature, does require a restriction on the availability of the DVD to adults, but any higher restriction on its availability (that is, a ban) is unnecessary. It would be an unreasonable limit on the right to freedom of expression as affirmed in s19 of the New Zealand Bill of Rights Act 1990 to now prohibit even adults from viewing or possessing the DVD without a demonstrable risk of injury to the public good, which there is not.

The DVD's original classification therefore stands, and it continues to be restricted to persons who have attained the age of 18 years.